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C O N F I D E N T I A L SECTION 01 OF 02 TBILISI 003149

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DEPARTMENT FOR EUR/CARC

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TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [GG](#)  
SUBJECT: TBILISI ELECTIONS UPDATE 12/21/07

Classified By: Ambassador John F. Tefft for reasons 1.4 (b) and (d).

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OSCE AMBASSADORIAL WORKING GROUP  
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11. (C) At the 21 December meeting of the OSCE Ambassadorial Working Group, the Chairman of the Election (CEC) Levan Tarkhnishvili addressed the group. He discussed the following points:

- Cameras at the polling stations: The CEC distributed a press release explaining the purpose of video surveillance cameras during election day. The misperception of some voters is that the cameras will be used to monitor their ballot selection, rather than monitor the registration and ballot box. Tarkhnishvili is seeking to heighten public awareness about the cameras and debunk inaccurate rumors. He further underlined that the use of filming/photo making devices in the PECs on Election Day is strictly prohibited, to include photos taken by cellphones. He stated that the Ministry of Internal Affairs will make public statements about this policy. If ballots are photographed or compromised by use of photographic equipment, they will be deemed invalid. (Note: Some opposition representatives have claimed to us that public servants have been instructed to photograph their ballots in the voting booth, as proof they voted for the ruling party.)

- CEC Media Monitoring: Tarkhnishvili presented the group with a copy of the media report from the company CEC had outsourced to monitor television stations during the pre-election phase. His information indicated that Saakashvili is paying for most of his airtime and is on television more often, as compared to the opposition candidates who are relying on free ad time. This report will be published twice weekly and posted on the CEC website. The ODIHR media expert who followed Tarkhnishvili, Rasto Kuzel, subsequently made two observations about the CEC media report. First, while the number of appearances for each of the candidates is about the same, the total number of minutes dedicated to Saakashvili is substantially more. Second, the three main stations are giving Saakashvili extra time. The example he gave to illustrate this is that on Sunday Mze, Rustavi, and Public TV all ran during prime time the same 28-minute segment on Saakashvili's visit to Rustavi. Based on the first seven days of Imedi TV's broadcasting, he noted that the bulk of the time is dedicated to information critical of Saakashvili who gets 39.2 percent coverage, compared to Badri Patarkatsishvili getting 14.7 percent, Gachechiladze 18.3 percent, Natelashvili 10 percent and Gamkrelidze 13.8 percent. Kuzel noted that Kavkasiya, a regional station, heavily criticized Saakashvili.

- Updating the voters list: The opposition has continued to stress that the voters list is not accurate and the large number of absent or deceased voters on the list will open the

door to fraud. The CEC has compiled a fact sheet on the most commonly asked questions about the voter's list. Tarkhnishvili complained that during the entire time that the voter's list was open for revision, he received not one single complaint from the Opposition. Ambassador Igor Gaon, Council of Europe (CoE), said that CoE's door-to-door effort to update the voter's list was cut short by the early elections, and they did not get to at least one third of the population. At any rate, the list is significantly more accurate than it was for the local elections in 2006. He stated Georgia's large internal immigration made the margin of error of the list at least 4 percent. He stated that beginning on February 1st, the CoE would conduct an audit on the voter's list and again seek to further improve the accuracy.

- Tarkhnishvili shared a fact sheet on the participation of political officials and Public servants during the pre-election process. He stated that people do not understand the difference in these two definitions and thus the complaint that there is an abuse of administrative resources. His fact sheet states, that according to the Election Code, Political Officials (those specifically listed are the President, Members of Parliament, Prime Minister and members of government of Georgia, Members of the High Representative Bodies of Adjara and Abkhazia and Head of government of the Republic of Adjara and Abkhazia, Deputy Ministers, members of local government, and head of the executive body) have a right participate in pre-election campaigning, while public servants of state and local governments do not have a right to participate in pre-election campaigning and/or agitation while executing service commitments. Those listed as public servants are members of the election commission, public servants employed

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at the Ministry of Internal Affairs and Defense, Prosecutor's Office, Foreign Intelligence and Special Security Services, and public officials of state and local governments while they are carrying out duties related to their office and work responsibilities. Others listed who may not participate are foreign citizens and organizations, and charity and religious organizations. Additionally, pre-election activities cannot take place on government of sub-agency departments of Executive and Legislative Bodies.

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Changes in the Election Code  
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12. (U) The information below encapsulates the most recent amendments to the election code and Law on Referendum that were passed by the Parliament of Georgia in December.

- Boundaries of Precinct Election Commission (PEC) were changed upon the recommendation of the Venice Commission from the Council of Europe. Before each PEC included 2,000 voters, but now will include only 1,500. This result in a higher number of PECs.

- Composition of PEC, DEC, and CEC: The CEC is now composed of its chairperson and 12 members, all of whom are appointed for a five year term. The chairperson and five members are nominated by the President and elected by the Parliament, while seven members are appointed by political parties. DEC composition has not changed and remains without party representation. DEC's consist of five members selected in an open competition and appointed by the CEC for a five-year term. The PEC composition mirrors that of the CEC with six members appointed by DEC's and seven by parties represented in the CEC.

- Additional Voters List: Election day registration of voters erroneously omitted from the general voter list was introduced by the latest amendments and will be possible upon presentation of an ID and a document proving a voter's

residency on a precinct's territory. Those voters are required to put an envelope with their ballot papers in an additional envelope that is different in size and color from the ones used by regular voters, and their votes will be processed under special procedures.

- Voting for Servicemen: If servicemen wish to vote at the place of registration, he/she must notify the appropriate PEC and will be included into the general list of voters.

- Media Coverage: Each qualified candidate will now be provided 90 seconds of free airtime every three hours. The public broadcaster is obliged to provide free airtime for 60 seconds per hour for each qualified candidate.

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Plebiscite Formulation  
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13. (U) According to the Minister of Justice the Interagency Task Force has agreed on the questions of the plebiscite which will be the following: "Do you support Georgia's adhesion to the North Atlantic Treaty Organization (NATO)?" and "Do you agree to hold the next election to the Georgian Parliament in Spring 2008?" With this wording, the opposition which favors spring elections will now be able to campaign easier than campaigning for "no."

TEFFT